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10 Attorneys for Defendants

11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

13 DR. TAM NGUYEN,

14 Case No.

15 Plaintiff,
16 vs.

17 (District Court, Clark County of Nevada
18 Case No. A-12-665334-C)

19 LAS VEGAS METROPOLITAN POLICE
20 DEPARTMENT, a political subdivision of the
21 State of Nevada; Police Officer NAKAGAWA
22 (LVMPD #5476), individually and as police
23 officer employed by the Las Vegas
24 Metropolitan Police Department; Police Officer
GEIGER (LVMPD #9864), individually and as
police officer employed by the Las Vegas
Metropolitan Police Department; POLICE
OFFICER JOHN DOES I-XX; and JOHN
DOES I-XX, inclusive,

19 DEFENDANTS' NOTICE OF REMOVAL

20 Defendants.

21 Pursuant to 28 U.S.C. § 1441, Defendants LAS VEGAS METROPOLITAN POLICE
22 DEPARTMENT, OFFICER NAKAGAWA and OFFICER GEIGER ("Defendants"), by and
23 through their counsel, hereby remove this action to this Court. In support of this action,
24 Defendants state as follows:

25 /././

26 /././

1 1. This action was commenced in the Eighth Judicial District Court of Clark County,
 2 State of Nevada. The Complaint was filed in the Eighth Judicial District Court on July 17, 2012
 3 under Case No. A-12-665334-C. Defendants were served with process on August 8, 2012.

4 2. This Notice of Removal is filed within thirty (30) days after receipt by Defendants
 5 of the Complaint, in compliance with 28 U.S.C. § 1446(b) and per this Court's decision in
 6 *Coleman v. Assurant, Inc.*, 463 F.Supp.2d 1164 (D. Nev. 2006) (providing thirty (30) days for
 7 removal after notice and/or service of each defendant). Pursuant to § 1446(a), a copy of the
 8 following are attached hereto as Exhibit A: (1) Complaint; (2) Summons to Defendants; and (3)
 9 Notice by Defendants of Removal of Action. On information and belief, no other pleadings have
 10 been served and no orders have been entered.

11 3. Removal is appropriate pursuant to 28 U.S.C. § 1441(b), as this Court has original
 12 jurisdiction over this action pursuant to 28 U.S.C. § 1331 (granting district courts original
 13 jurisdiction over claims "arising under the Constitution, laws, or treaties of the United States").
 14 Plaintiff's Complaint asserts claims for violations of 42 U.S.C. § 1983. Defendants' first notice of
 15 this action was on August 8, 2012, the date that they were served with a summons and a copy of
 16 the Plaintiff's Complaint.

17 4. The above-entitled action is a civil action for compensatory and punitive damages
 18 based on allegations of 42 U.S.C. § 1983 violations, false arrest, false imprisonment and
 19 intentional infliction of emotional distress. As to the non-federal claims, 28 U.S.C. § 1441(c)
 20 provides grounds for removal.

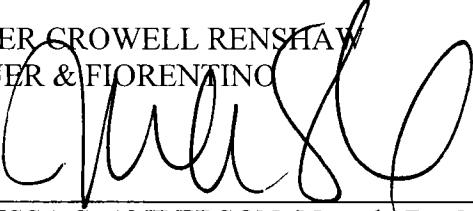
21 5. Pursuant to 28 U.S.C. § 1446(a), the state court in which this action was
 22 commenced is within this Court's jurisdiction.

23 6. Pursuant to 28 U.S.C. § 1446(d), Defendants file this Notice of Removal within
 24 thirty (30) days of receipt by Defendants of Plaintiff's Complaint in the state court action.

1 7. Pursuant to U.S.C. § 1446(d), Defendants certify that a copy of this Notice of
2 Removal will be served promptly on Plaintiff and filed with the Clerk of the Eighth Judicial
3 District Court, Clark County, Nevada.

4 DATED this 27th day of August, 2012.

5 KAEMPFER CROWELL RENSHAW
6 GRONAUER & FLORENTINO

7 BY: 

8 LYSSA S. ANDERSON (Nevada Bar No. 5781)
9 8345 West Sunset Road, Suite 250
10 Las Vegas, Nevada 89113
11 **Attorneys for Defendants**

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this date I electronically filed the foregoing
DEFENDANTS' NOTICE OF REMOVAL using the court's CM/ECF system which will send
notification to the following:

5 Cal J. Potter, III, Esq.
Potter Law Offices
6 1125 Shadow Lane
Las Vegas, Nevada 89102
7 (702) 385-1954
(702) 385-9081 - facsimile
8 Attorney for Plaintiff

DATED this 27th day of August, 2012.